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Ans

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,048	04/21/2000	Ron Nevo	004198.P011X	7242

23419 7590 08/20/2003

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EXAMINER

LY, ANH VU H

ART UNIT	PAPER NUMBER
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2667

DATE MAILED: 08/20/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/557,048

Applicant(s)

NEVO ET AL.

Examiner

Anh-Vu H Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11-14,23 and 24 is/are rejected.
- 7) ☒ Claim(s) 3-10,15-22 and 25-32 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claim 23 is objected to because of the following informalities: double period (..) at the end of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 12-13, and 23 are rejected under 35 U.S.C. 102(a) as being anticipated by Joeressen, O J. (WO 99/29126). Hereinafter, referred to as Joeressen.

With respect to claims 1, 13, and 23, Joeressen discloses in Fig. 4, the mobile terminal 100 of Fig. 5 has a transceiver 40 for use in the LPRF network 2 (a first wireless network operating a first protocol) and a cellular phone unit 62 which allows the terminal to communicate in the mobile network 106 (a second wireless network operating a second protocol) (at least one wireless transceiver to transmit and receive signals in accordance with a first and a second protocol to and from first and second network devices of a first and a second wireless network communicatively coupled to the apparatus), and a control unit 80 (at least one controller manager) for controlling the integration of mobile network 106 and the LPRF network 2 (at least one controller manager coupled to at least one wireless transceiver to operate at least one wireless transceiver to perform transmits and receives in accordance with first and second protocols in a coordinated manner). Joeressen discloses in Figs. 7-9, different allocation patterns

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made by the control unit 80 for controlling the transmissions and receptions of the terminal in order to avoid critical concurrent activities (quality of service criteria) in the first and second communication networks (controller manager taking into consideration quality of service criteria to be achieved for the respective protocols).

With respect to claim 12, Joeressen discloses in Fig. 4, the mobile terminal 100 of Fig. 5 (computer having a form factor selected from a group of a desktop type, a notebook type and a palm size type) has a transceiver 40 for use in the LPRF network 2 and a cellular phone unit 62 which allows the terminal to communicate in the mobile network 106.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 2, 11, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joeressen, O. J (WO 99/29126).

With respect to claims 2, 14, and 24, Joeressen discloses in Fig. 4, the mobile terminal 100 of Fig. 5 has a transceiver 40 for communicating data packets in LPRF network 2 (at least one controller manager is equipped with logic to determine messages types of first messages to be transmitted to a selected one or selected ones of first network devices in accordance with first

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protocol) and a cellular phone unit 62 for communicating voice signals in the mobile network 106. Joeressen does not disclose at least one controller manager is equipped with logic to give priority to first messages of first protocol network over second messages of second protocol network if message types of first messages are determined of a multi-media type. However, it is known in the art that highly sensitive traffic such as video and audio data are assigned with higher prioritized level over text traffic such as email. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include the feature of assigning multimedia messages as higher prioritized messages in Joeressen's system, since video and audio messages (multimedia messages) are not tolerated to high transmissions delays.

With respect to claim 11, Joeressen discloses in Fig. 4, the mobile terminal 100 of Fig. 5 has a transceiver 40 for use in the LPRF network 2 (first protocol is Bluetooth protocol) and a cellular phone unit 62, which allows the terminal to communicate in the mobile network 106. Joeressen does not disclose that the mobile network 106 is selected from a group consisting of Bluetooth, 802.11 frequency hopping, 802.11 direct sequence, 802.11a, 802.11b, and Home RF. However, Bluetooth, 802.11 frequency hopping, 802.11 direct sequence, 802.11a, 802.11b, and Home RF, etc... are known in the art as different protocol schemes for transmitting information among devices in wireless local area network. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute the mobile network 106 to another selected network such as a network employing Bluetooth, 802.11 frequency hopping, 802.11 direct sequence, etc... in Joeressen's system, to transmit information among devices in a network since those networks are known in the art.

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Allowable Subject Matter

4. Claims 3-10, 15-22, and 25-32 are rejected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cudak et al (US Patent No. 6,058,106) discloses a method for providing an efficient centrally coordinated peer-to-peer wireless communication network.

Csapo et al (US Patent No. 6,411,825) discloses a distributed architecture for a base station transceiver subsystem.

Shaheen et al (US Patent No. 6,128,490) discloses a wireless communication system that supports selection of operation from multiple frequency bands and multiple protocols.

Park et al (US Patent No. 6,396,823) discloses base station transceiver for frequency hopping code division multiple access system.

Nevo et al (US Patent No. 6,600,726) discloses multiple wireless communications protocol methods and apparatuses.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 703-306-5675. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

avl

August 13, 2003


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 8/19/03